

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

XAVIER JOHNSON,

Plaintiff,

v.

BIG 10 TIRES, INC.,

Defendant.

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CASE NO. 2:05-cv-704-WKW

NOTICE CONCERNING SETTLEMENT CONFERENCE AND MEDIATION

COMES NOW Xavier Johnson (hereinafter "Plaintiff"), by and through the undersigned, and hereby files the following Notice Concerning Settlement Conference and Mediation pursuant to the Court's Scheduling Order:

1. On or about June 2, 2006, the parties agreed to mediate this matter along with two similar charges of discrimination currently pending before the EEOC filed by other former employees.
2. The parties had hoped to have the mediation concluded prior to the Court's deadline for conducting a face-to-face settlement conference. However, the mediation could not be scheduled until August 15, 2006.
3. On July 14, 2006, counsel for the parties again discussed the upcoming mediation.
4. The parties have not reached a settlement but believe that the August 15, 2006 mediation will be productive.

Respectfully submitted this the 19th day of July, 2006.

/s/ Maricia Woodham
MARICIA WOODHAM (*BEN050*)
One of the Attorneys for Plaintiff

OF COUNSEL:

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CERTIFICATE OF SERVICE

I do hereby certify that on the 19th day of July, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

William C. Tidwell, III
HAND ARENDALL, LLC
300 AmSouth Bank Building
107 S. Francis Street (36602)
Post Office Box 123
Mobile, AL 36601
Email: btidwell@handarendall.com

/s/ Maricia Woodham
Maricia Woodham